

### **REMARKS**

This responds to the Office Action mailed on July 6, 2006.

Claims 1-7, 9 and 11-22 are amended, no claims are canceled, and claims 23-31 are added; as a result, claims 1-31 are now pending in this application.

#### **Claim Amendments and Additions**

The amendments and additions to the claims are fully supported by the specification as originally filed, and no new matter will be added by entry of the amendment. The amendments and additions to the claims are made to satisfy Applicants' preferences, not necessarily to satisfy any legal requirement(s) of the patent laws. The amendments clarify the claims and are not intended to limit the scope of equivalents to which any claim element may be entitled. Applicants respectfully request reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

#### **§101 Rejection of the Claims**

Claims 1-22 were rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-22 of U.S. patent No. 6,665,716. Applicant has amended independent claims 1 and 12. Therefore, the rejection is now considered moot.

### **RESERVATION OF RIGHTS**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence

of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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Date 6/7/07

By 

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 7 day of June 2007.

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Name



Signature